

REMARKS

Status of the claims

Claims 42-67 are pending in the application, with claims 1-14 being previously cancelled. Claims 42-59, 61-63 and 65 are amended herein. No new matter has been added by way of these amendments.

Rejections under 35 U.S.C. § 112, 2nd paragraph

Claims 42-67 are rejected under 35 U.S.C. § 112, 2nd paragraph for being unclear with regard to the recitation of “membrane preparations” and “vesicles” at the end of the claims. The claims have been amended as indicated above, to clarify the scope of the invention. Specifically, the claims have been amended as exemplified in claim 42, wherein the preamble has been amended to recite, “An in-vitro cell or cell line, in which there is expression of a functional chloride channel C1C-7, **or a cell membrane preparation or an *in vitro* cell vesicle of said cell or cell line; wherein said cell or cell line** and which:” and “; or a cell membrane preparation or an *in vitro* cell vesicle of said cell or cell line” has been deleted from the end of the claims. Withdrawal of the rejection is therefore respectfully requested.

Rejection under 35 U.S.C. § 103

Claims 42, 48, 50, 53, 54 and 59-67 have been rejected under 35 U.S.C. § 103 as being obvious over Maher et al US 6,686,193. Maher et al. is very generally drawn to methods of screening compounds that target various ion channels. The reference lists the chloride channels, but goes no further. For example, the only disclosure in the reference regarding the CIC-7 channel is in Table 3, which indicates that the CIC-7 channel is a chloride channel that is ubiquitously expressed.

Independent claims 42, 48, 50 and 53 have been amended to further define the invention as requiring cells or cell lines, which have been genetically modified with regard to at least two specifically recited chloride channels. In claim 42, the cells or cell line is genetically modified

with regard to the expression of the CIC-7 channel and either the CIC-3 channel or CIC-6 channel. With claim 48, the cell or cell line has been genetically modified with regard to the expression of both the CIC-3 and CIC-7 channels. In claims 50 and 53, the cell or cell line has been genetically modified with regard to the expression of the CIC-4 and CIC-7 channels and the CIC-6 and CIC-7 channels, respectively. There is no disclosure or suggestion in Maher et al. of the genetic modification of cells to modify the expression of multiple CIC chloride channels. More specifically, there is no suggestion of the modification of expression of the specific recited combinations of CIC chloride channels that are required by the amended claims. As such, the invention of claims 42, 48, 50, 53, 54, and 59-67 is not obvious over Maher et al. and withdrawal of the rejection is respectfully requested.

Revocation of Power of Attorney and new Power of Attorney

Submitted concurrently herewith is a Revocation of Power of Attorney, which revokes the Power of Attorney given to the current attorneys of record, Edwards & Angell, LLP. Also submitted herewith is a Power of Attorney, which appoints the offices of the undersigned as the new attorneys of record for the representation of the application, as well as a Statement under 37 C.F.R. § 3.73(b).

Notice of Co-Pending Applications

Also submitted herewith is a Letter of Co-pending application, which advises the Examiner of co-pending application No. 10,623,150, which the Examiner may wish to consider.

In view of the above amendment, applicant believes the pending application is in condition for allowance.


Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact MaryAnne Armstrong, Ph.D., Reg. No. 40,069 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

By 
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Attachments: Revocation of Power of Attorney
New Power of Attorney
Co-pending Letter regarding Application No. 10/623,150